

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

DAVID SPARKS §  
§  
V. § NO. 1:08-CV-896  
§  
NATIONAL FLOOD SERVICES, INC. §

ADVISORY

The litigants and counsel are notified of the following matters relevant to and governing proceedings in this action:

1. This case is assigned for trial to Hon. Ron Clark, United States district judge, and is referred to the undersigned magistrate judge for pretrial proceedings by a General Order 05-7.<sup>1</sup>
2. **Judge Clark's procedures and rules of practice will govern this action.** Accordingly, counsel and the parties shall consult and comply with Judge Clark's **Practice Pointers** and **Form Orders** posted in the "*Judges*" section of the court's website located at:  
  
*[www.txed.uscourts.gov/Judges/Clark/Clark.htm](http://www.txed.uscourts.gov/Judges/Clark/Clark.htm)*
3. General Order 05-7 provides that upon receipt of all parties' consent, this action automatically will be reassigned to the undersigned for trial.<sup>2</sup> In that event, only **Federal Rules of Civil Procedure and Local Rules of Court will govern thereafter** unless the parties give written notice that they jointly elect to continue under Judge Clark's rules and procedures.

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<sup>1</sup> See also 28 U.S.C. § 636(b); E.D. Tex. Local Rule CV-72, app. B, Rule 1(D)(1).

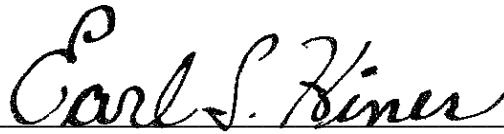
<sup>2</sup> General Order 05-7 provides:  
When parties consent to disposition of a pro se non prisoner case by a magistrate judge, the action shall be assigned automatically to the referral magistrate judge, who shall conduct any and all proceedings and order entry of judgment in the case.

4. Forms for consenting to a magistrate judge trial (No. AO-085) are available from the Clerk and also online from the “*Forms: Federal Forms*” section of the United States Courts website:

*[www.uscourts.gov/forms/uscforms.cfm?ShowAll=Yes](http://www.uscourts.gov/forms/uscforms.cfm?ShowAll=Yes)*

5. A party consenting to a magistrate judge trial must forward a **paper copy** of an **executed consent form** to the Clerk of court. The form will not be filed by the Clerk or made available to any judge unless **all** parties consent.<sup>3</sup>

SIGNED this 30 day of December, 2008.

A handwritten signature in black ink, reading "Earl S. Hines", written over a horizontal line.

Earl S. Hines

United States Magistrate Judge

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<sup>3</sup> See Fed. R. Civ. P. 73(b); E.D. Tex. Local Rule CV-72, app. B, Rule 1(J)(1)(a).